



WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.03.2025

PRESENT

THE HON'BLE MR.JUSTICE R.SAKTHIVEL

CRL.OP(MD). No.2523 of 2025

1.Selvi  
2.Kumarasamy

... Petitioners/ A2 & A3

Vs.

The State of Tamil Nadu  
rep. by The Inspector of Police,  
AWPS Oomachikulam,  
Madurai District.  
Crime No.2 of 2025

... Respondent / Complainant

PRAYER :- The Criminal Original Petition filed under Section 482 of the Bharatiya  
Nagarik Suraksha Sanhita (BNSS), 2023 praying to enlarge the petitioners on bail in  
the event of their arrest in Crime No.2 of 2025 on the file of the respondent-police.

For Petitioners : Mr.K.Muthuvai Ilayaraja

For Respondent : Mr.S.S.Manoj  
Government Advocate (Crl.side)

For intervenor : Mr.S.Ramsundarvijayraj



**ORDER :** The Court made the following order :-

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This Criminal Original Petition has been filed by the petitioners on 06.02.2025 under Section 482 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023, praying to grant an order of pre-arrest bail.

2. The petitioners apprehend arrest at the hands of the respondent police for the offences punishable under Sections 296(b), 115(2), 85 and 351(2) of BNS, 2023 and Section 4 of TNPHW Act, 2002, in Crime No.2 of 2025 on the file of the respondent-police.

3. The case of the prosecution is that a marriage was solemnized between the first accused and the defacto complainant on 23.04.2023. at the time of marriage, the defacto complainant's parents gave 150 sovereigns of gold jewels, 2kg silver articles and 10 sovereigns of gold chain to the first accused as dowry and deposited Rs.6 Lakhs in a bank as fixed deposit in the name of the defacto complainant. Subsequently, the defacto complainant's parents gave what the first accused and his family had expected. However, the first accused harassed the defacto complainant demanding more dowry and compelling her to withdraw the fixed deposit amount. When the same was informed to his parents, they also demanded more dowry. On 29.08.2024, the first accused attacked the defacto complainant, threw her out of the matrimonial home, and took all the sreethana articles with him. The petitioners are



the father-in-law and mother-in-law of the defacto complainants. Hence, the  
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complaint.

4. When this case was taken up for hearing on 10.02.2025, this Court referred the matter to the Mediation and Conciliation Centre attached to this Court.

5. The mediation report has been filed before this Court. This Court has perused the same and all other materials available on record. On perusal of the mediation report, it reveals that, the parties/the petitioners and the defacto complainant arrived at an amicable settlement. The defacto complainant agreed to withdraw the present case in Crime No.2 of 2025 within a month, i.e., after A1 and the defacto complainant moved into a separate residence. The offences punishable under Sections 115(2) and 351(2) of BNS, 2023, are compoundable in nature. The offences punishable under Section 85 and 296(b) are non-compoundable offences. However, considering the nature of the dispute, and with a view to bring peace in the matrimonial home, and in the interest of justice, the Court does incline to record the mediation agreement arrived at by the parties before the Medication Centre.

6. In view of the mediation report submitted by the mediator, this Court is of the view that the custodial interrogation of the petitioners is not necessary. The respondent-police is directed to act as per mediation report in accordance with law. The mediation report shall form part and parcel of the order.



7. Accordingly, this Criminal Original Petition is allowed. Pre-arrest bail is granted in favour of the petitioners.

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Sub-Assistant Registrar (C.S.-I/ II /III/ IV)  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

Rmk  
TO

- 1 THE JUDICIAL MAGISTRATE NO.V, MADURAI.
- 2 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE, MADURAI.
- 3 THE INSPECTOR OF POLICE,  
AWPS OOMACHIKULAM, MADURAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 5 THE CO-ORDINATOR,  
MEDIATION AND CONCILIATION CENTRE,  
MADURAI BENCH OF MADRAS HIGH COURT,  
MADURAI. (Soft Copy)

+1. CC to Mr.S.Ramsundarvijayraj Advocate SR.No.2588(I) DATED 10/03/2025

ORDER  
IN  
CRL OP(MD) No.2523 of 2025  
Date :07/03/2025

NBF/VR / SAR/ (25/03/2025) 4P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023